

SENATE JOURNAL

EIGHTY-FOURTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTIETH DAY

(Thursday, April 23, 2015)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Bettencourt, Birdwell, Burton, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Absent-excused: Seliger.

The President announced that a quorum of the Senate was present.

Minister Terry Collins, Cameron Road Church of Christ, Austin, offered the invocation as follows:

Heavenly Father, we thank You for giving us life, breath, and everything we need to exist. We thank You for the privilege of living in a wonderful nation where we enjoy such liberty. We thank You that we live in this great State of Texas with all its beauty and bounty. We thank You for those who serve locally and abroad to ensure our freedom. We also thank You for these Senators who are willing to serve You and to serve the citizens of Texas as lawmakers. Heavenly Father, we come to You as the one who can grant answers to our requests. Please bless each of these Senators with good health and vitality. Please bless them with wisdom to know what is best for state and community. Please bless them with a servant's heart. Please bless their families in their absence and watch over them. Heavenly Father, we are grateful that You have made us and that You listen to us. We pray in Jesus' name. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of the previous day be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Seliger was granted leave of absence for today on account of important business.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Thursday, April 23, 2015 - 1

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

- HB 21** Kacal
Relating to authorizing patients with certain terminal illnesses to access certain investigational drugs, biological products, and devices that are in clinical trials.
- HB 275** Ashby
Relating to the exemption from ad valorem taxation of farm products.
- HB 369** Villalba
Relating to designating May 24 as Lung Cancer Awareness Day.
- HB 445** Raney
Relating to providing notice of the availability of paid leave for military service to public officers and employees.
- HB 655** Larson
Relating to the storage and recovery of water in aquifers; authorizing fees and surcharges; adding provisions subject to a criminal penalty.
- HB 806** Lozano
Relating to proof of eligibility for an exemption from ad valorem taxation of the residence homestead of a person.
- HB 941** Hernandez
Relating to the creation of DNA records for the DNA database system.
- HB 994** Anchia
Relating to the exemption from ad valorem taxation of property used to collect, process, and deliver landfill-generated gas.
- HB 1038** Sheffield
Relating to premium payment assistance for insurance coverage for hemophilia medical treatment.
- HB 2066** Oliveira
Relating to the rescission of nonjudicial foreclosure sales.
- HB 2113** Murphy
Relating to the taxation of fireworks.

HB 2360 Thompson, Senfronia
Relating to the licensing and regulation of certain residential educational child-care facilities serving victims of human trafficking.

HB 2702 Pickett
Relating to an alternative composition of a board of directors of a regional mobility authority.

HB 2813 King, Ken
Relating to health benefit plan coverage for ovarian cancer screening.

HB 3308 Flynn
Relating to the regulation of state trust companies.

SB 149 Seliger Sponsor: Huberty
Relating to alternative methods for satisfying certain public high school graduation requirements, including the use of individual graduation committees.
(Committee Substitute/Amended)

THE HOUSE HAS REFUSED TO CONCUR IN THE SENATE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

HB 1 (non-record vote)
House Conferees with Instructions: Otto - Chair/Ashby/Davis, Sarah/Gonzales, Larry/Turner, Sylvester

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

April 22, 2015
Austin, Texas

TO THE SENATE OF THE EIGHTY-FOURTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Texas Southern University Board of Regents for terms to expire February 1, 2021:

Derrick M. Mitchell
Houston, Texas

(replacing Dionicio "Don" Flores of El Paso whose term expired)

Marilyn Agatha Rose
Houston, Texas

(Ms. Rose is being reappointed)

Wesley Terrell
Dallas, Texas

(replacing Curtistene S. McCowan of DeSoto whose term expired)

Respectfully submitted,

/s/Greg Abbott
Governor

PHYSICIAN OF THE DAY

Senator Eltife was recognized and presented Dr. Rodney Wiseman of Tyler as the Physician of the Day.

The Senate welcomed Dr. Wiseman and thanked him for his participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

SENATE RESOLUTION 618

Senator Burton offered the following resolution:

WHEREAS, Civic-minded individuals from across the Lone Star State are gathering in Austin on April 23, 2015, to celebrate Texas Young Republican Federation and Texas Federation of College Republicans Legislative Day at the State Capitol; and

WHEREAS, The TYRF is a volunteer service organization for conservative professionals, activists, and politicians in the 18-to-40-year-old age range; these dedicated young men and women work tirelessly to support local, statewide, and federal candidates for elected office; during the last election, members logged tens of thousands of hours and traveled across the state and nation to campaign for Republican candidates; and

WHEREAS, The official collegiate arm of the Republican Party of Texas, the TFCR comprises more than 30 chapters statewide and collaborates with other conservative organizations to educate the electorate, promote Republican values, and encourage political activism among college students; and

WHEREAS, Participants in Texas Young Republican Federation and Texas Federation of College Republicans Legislative Day are meeting with elected officials to discuss issues important to younger voters and are sharing their perspectives on a range of policy matters, and in so doing, they are endeavoring to build a brighter and more prosperous future for the Lone Star State; now, therefore, be it

RESOLVED, That the Senate of the 84th Texas Legislature hereby recognize April 23, 2015, as Texas Young Republican Federation and Texas Federation of

College Republicans Legislative Day at the State Capitol and extend a warm welcome to the members of those organizations who are visiting on this day.

BURTON	HUFFINES
CAMPBELL	HUFFMAN
CREIGHTON	KOLKHORST
ESTES	NELSON
FRASER	NICHOLS
HALL	SCHWERTNER
HANCOCK	

SR 618 was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of the resolution except as follows:

Absent-excused: Seliger.

GUESTS PRESENTED

Senator Burton, joined by Senators Huffines, Campbell, and Bettencourt, was recognized and introduced to the Senate a delegation of the Texas Young Republican Federation and the Texas Federation of College Republicans.

The Senate welcomed its guests.

SENATE RESOLUTION 617

Senator Campbell offered the following resolution:

SR 617, Recognizing H-E-B on the occasion of its 110th anniversary.

MENÉNDEZ
CAMPBELL

The resolution was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of the resolution except as follows:

Absent-excused: Seliger.

GUESTS PRESENTED

Senator Menéndez, joined by Senators Campbell, Zaffirini, and Uresti, was recognized and introduced to the Senate an H-E-B delegation: Ofelia Garcia, Rey Saldaña, Helia Callender, and Jeff Thomas.

The Senate welcomed its guests.

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

The President announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

There was no objection.

CONCLUSION OF MORNING CALL

The President at 11:35 a.m. announced the conclusion of morning call.

SENATE BILL 849 ON SECOND READING

On motion of Senator Bettencourt and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 849** at this time on its second reading:

SB 849, Relating to access to and fees associated with binding arbitration of appraisal review board orders.

The bill was read second time and was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Seliger.

SENATE BILL 849 ON THIRD READING

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 849** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1574 ON SECOND READING**

On motion of Senator Uresti and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1574** at this time on its second reading:

CSSB 1574, Relating to emergency response employees or volunteers and others exposed or potentially exposed to certain diseases or parasites.

The bill was read second time and was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE
SENATE BILL 1574 ON THIRD READING**

Senator Uresti moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1574** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1282 ON SECOND READING**

On motion of Senator Eltife and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1282** at this time on its second reading:

CSSB 1282, Relating to the regulation of consumer credit transactions and the regulatory authority of the Office of Consumer Credit Commissioner; amending provisions subject to a criminal penalty.

The bill was read second time and was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE
SENATE BILL 1282 ON THIRD READING**

Senator Eltife moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1282** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 836 ON SECOND READING**

Senator Watson moved to suspend the regular order of business to take up for consideration **CSSB 836** at this time on its second reading:

CSSB 836, Relating to management services for the physical facilities of the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf.

The motion prevailed.

Senators Creighton and Perry asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Creighton, Perry.

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE
SENATE BILL 836 ON THIRD READING**

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 836** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Rodríguez, Schwertner, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Creighton, Perry.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 2. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 107 ON SECOND READING**

Senator Whitmire moved to suspend the regular order of business to take up for consideration **CSSB 107** at this time on its second reading:

CSSB 107, Relating to the designation of campus behavior coordinators to serve at public school campuses and issues to be considered when removing a student from class.

The motion prevailed.

Senator Huffines asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Huffines.

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE
SENATE BILL 107 ON THIRD READING**

Senator Whitmire moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 107** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Huffines.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1. (Same as previous roll call)

(Senator Eltife in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 925 ON SECOND READING**

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 925** at this time on its second reading:

CSSB 925, Relating to providing training academies for public school teachers who provide reading instruction to students in kindergarten through grade five.

The bill was read second time.

Senator Kolkhorst offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 925** in SECTION 1 of the bill, by striking added Section 21.4552(a), Education Code (page 1, lines 29-34), and substituting the following:

(a) The commissioner shall develop and make available literacy achievement academies for teachers who provide reading instruction to students at the kindergarten or first, second, or third grade level.

The amendment to **CSSB 925** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Seliger.

Senator V. Taylor offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 925** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 21.4552(c), Education Code, on page 1, strike lines 49 through 51 and substitute the following:
commissioner shall:

(1) require granting a priority to teachers employed by a school district at a campus at which 50 percent or more of the students enrolled are educationally disadvantaged; and

(2) provide a process through which a teacher not employed at a campus described by Subdivision (1) may attend the academy if the academy has available space and the school district employing the teacher pays the costs of the teacher's attendance.

(2) In SECTION 1 of the bill, following added Section 21.4552(e), Education Code (page 2, between lines 1 and 2), insert the following new subsection, appropriately lettered:

() This section expires September 1, 2027.

The amendment to **CSSB 925** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2 except as follows:

Absent-excused: Seliger.

On motion of Senator Kolkhorst and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 925 as amended was passed to engrossment by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE
SENATE BILL 925 ON THIRD READING**

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 925** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 934 ON SECOND READING**

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 934** at this time on its second reading:

CSSB 934, Relating to providing training academies for public school teachers who provide mathematics instruction to students in kindergarten through grade three.

The bill was read second time.

Senator V. Taylor offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 934** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 21.4553(c), Education Code, on page 1, strike lines 41 through 43 and substitute the following:
commissioner shall:

(1) require granting a priority to teachers employed by a school district at a campus at which 50 percent or more of the students enrolled are educationally disadvantaged; and

(2) provide a process through which a teacher not employed at a campus described by Subdivision (1) may attend the academy if the academy has available space and the school district employing the teacher pays the costs of the teacher's attendance.

(2) In SECTION 1 of the bill, following added Section 21.4553(e), Education Code (page 1, between lines 53 and 54), insert the following:

(f) This section expires September 1, 2027.

The amendment to **CSSB 934** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Seliger.

On motion of Senator Kolkhorst and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 934 as amended was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE
SENATE BILL 934 ON THIRD READING**

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 934** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 972 ON SECOND READING**

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 972** at this time on its second reading:

CSSB 972, Relating to training academies for public school teachers who provide reading comprehension instruction to students in grades four and five.

The bill was read second time.

Senator V. Taylor offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 972** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 21.4554(c), Education Code (page 1, lines 46 and 47), between "shall" and "require", insert the following:

⋮

(1)

(2) In SECTION 1 of the bill, in added Section 21.4554(c), Education Code (page 1, line 49), between "disadvantaged" and the period, insert the following:

; and

(2) provide a process through which a teacher not employed at a campus described by Subdivision (1) may attend the academy if the academy has available space and the school district employing the teacher pays the costs of the teacher's attendance

(3) In SECTION 1 of the bill, following added Section 21.4554(e), Education Code (page 1, between lines 59 and 60), insert the following:

(f) This section expires September 1, 2027.

The amendment to **CSSB 972** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Seliger.

On motion of Senator Kolkhorst and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 972 as amended was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Seliger.

COMMITTEE SUBSTITUTE SENATE BILL 972 ON THIRD READING

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 972** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 988 ON SECOND READING

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 988** at this time on its second reading:

CSSB 988, Relating to the prohibited disposition of a decedent's remains by a person charged with certain criminal conduct against the decedent; providing an administrative penalty.

The bill was read second time and was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE
SENATE BILL 988 ON THIRD READING**

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 988** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1353 ON SECOND READING**

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1353** at this time on its second reading:

CSSB 1353, Relating to the provision and administration of indigent defense services.

The bill was read second time and was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE
SENATE BILL 1353 ON THIRD READING**

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1353** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

SENATE BILL 295 ON SECOND READING

On motion of Senator Schwertner and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 295** at this time on its second reading:

SB 295, Relating to tracking career information for graduates of Texas medical schools and persons completing medical residency programs in Texas.

The bill was read second time and was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Seliger.

SENATE BILL 295 ON THIRD READING

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 295** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 662 ON SECOND READING**

On motion of Senator Rodríguez and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 662** at this time on its second reading:

CSSB 662, Relating to the representation of certain indigent applicants for a writ of habeas corpus.

The bill was read second time and was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE
SENATE BILL 662 ON THIRD READING**

Senator Rodríguez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 662** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

SENATE BILL 1149 ON SECOND READING

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1149** at this time on its second reading:

SB 1149, Relating to the commitment of certain juveniles to local post-adjudication secure correctional facilities in certain counties and to the release under supervision of those juveniles.

The bill was read second time.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 1149** (senate committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. Sections 51.13(c) and (d), Family Code, are amended to read as follows:

(c) A child may not be committed or transferred to a penal institution or other facility used primarily for the execution of sentences of persons convicted of crime, except:

(1) for temporary detention in a jail or lockup pending juvenile court hearing or disposition under conditions meeting the requirements of Section 51.12;

(2) after transfer for prosecution in criminal court under Section 54.02, unless the juvenile court orders the detention of the child in a certified juvenile detention facility under Section 54.02(h); ~~or~~

(3) after transfer from the Texas Juvenile Justice Department under Section 245.151(c), Human Resources Code; or

(4) after transfer from a post-adjudication secure correctional facility, as that term is defined by Section 54.04011.

(d) An adjudication under Section 54.03 that a child engaged in conduct that occurred on or after January 1, 1996, and that constitutes a felony offense resulting in commitment to the Texas Juvenile Justice Department under Section 54.04(d)(2), (d)(3), or (m) or 54.05(f) or commitment to a post-adjudication secure correctional facility under Section 54.04011 for conduct that occurred on or after December 1, 2013, is a final felony conviction only for the purposes of Sections 12.42(a), (b), and (c)(1) or Section 12.425, Penal Code.

SECTION 2. Section 53.045(d), Family Code, is amended to read as follows:

(d) If the grand jury approves of the petition, the fact of approval shall be certified to the juvenile court, and the certification shall be entered in the record of the case. For the purpose of the transfer of a child to the Texas Department of Criminal Justice as provided by Section 152.00161(c) or 245.151(c), Human Resources Code, as applicable, a juvenile court petition approved by a grand jury under this section is an indictment presented by the grand jury.

SECTION 3. Section 54.11, Family Code, is amended by amending Subsections (a), (b), and (d), and adding Subsection (o) to read as follows:

(a) On receipt of a referral under Section 244.014(a), Human Resources Code, for the transfer to the Texas Department of Criminal Justice of a person committed to the Texas Juvenile Justice Department under Section 54.04(d)(3), 54.04(m), or 54.05(f), on receipt of a request by the Texas Juvenile Justice Department under Section 245.051(d), Human Resources Code, for approval of the release under supervision of a person committed to the Texas Juvenile Justice Department under Section 54.04(d)(3), 54.04(m), or 54.05(f), or on receipt of a referral under Section 152.0016(g) or (j), Human Resources Code, the court shall set a time and place for a hearing on the possible transfer or release of the person, as applicable.

(b) The court shall notify the following of the time and place of the hearing:

(1) the person to be transferred or released under supervision;

(2) the parents of the person;

(3) any legal custodian of the person, including the Texas Juvenile Justice Department or a juvenile board or local juvenile probation department if the child is committed to a post-adjudication secure correctional facility;

(4) the office of the prosecuting attorney that represented the state in the juvenile delinquency proceedings;

(5) the victim of the offense that was included in the delinquent conduct that was a ground for the disposition, or a member of the victim's family; and

(6) any other person who has filed a written request with the court to be notified of a release hearing with respect to the person to be transferred or released under supervision.

(d) At a hearing under this section the court may consider written reports and supporting documents from probation officers, professional court employees, professional consultants, ~~or~~ employees of the Texas Juvenile Justice Department, or employees of a post-adjudication secure correctional facility in addition to the testimony of witnesses. On or before the fifth day before the date of the hearing, the court shall provide the attorney for the person to be transferred or released under supervision with access to all written matter to be considered by the court. All written matter is admissible in evidence at the hearing.

(o) In this section, "post-adjudication secure correctional facility" has the meaning assigned by Section 54.04011.

SECTION 4. Section 58.352(a), Family Code, is amended to read as follows:

(a) A juvenile court judge in a county to which this subchapter applies shall post a report on the Internet website of the county in which the court is located. The report must include:

(1) the total number of children committed by the judge to:

(A) a correctional facility operated by the Texas Juvenile Justice Department ~~[Youth Commission]~~; or

(B) a post-adjudication secure correctional facility as that term is defined by Section 54.04011; and

(2) for each child committed to a facility described by Subdivision (1):

(A) a general description of the offense committed by the child or the conduct of the child that led to the child's commitment to the facility;

(B) the year the child was committed to the facility; and

(C) the age range, race, and gender of the child.

SECTION 5. Section 499.053, Government Code, is amended to read as follows:

Sec. 499.053. TRANSFERS FROM TEXAS JUVENILE JUSTICE DEPARTMENT OR POST-ADJUDICATION SECURE CORRECTIONAL FACILITY. (a) In this section, "post-adjudication secure correctional facility" has the meaning assigned by Section 152.00011, Human Resources Code.

(a-1) The department shall accept persons transferred to the department from:

(1) the Texas Juvenile Justice Department under Section 245.151, Human Resources Code; or

(2) a post-adjudication secure correctional facility under Section 152.00161, Human Resources Code.

(b) A person transferred to the department from the Texas Juvenile Justice Department or from a post-adjudication secure correctional facility is entitled to credit on the person's sentence for the time served in the custody of the Texas Juvenile Justice Department or the juvenile board or local juvenile probation department, as applicable.

(c) All laws relating to good conduct time and eligibility for release on parole or mandatory supervision apply to a person transferred to the department by the Texas Juvenile Justice Department or by a juvenile board or local juvenile probation department that operates the post-adjudication secure correctional facility as if the time the person was detained in a detention facility and the time the person served in the custody of the Texas Juvenile Justice Department or the juvenile board or local juvenile probation department was time served in the custody of the department.

(d) A person transferred from the Texas Juvenile Justice Department or a post-adjudication secure correctional facility for the offense of capital murder shall become eligible for parole as provided in Section 508.145(d) for an offense listed in Section 3g, Article 42.12, Code of Criminal Procedure, or an offense for which a deadly weapon finding has been made.

SECTION 6. Section 508.003(c), Government Code, is amended to read as follows:

(c) The provisions of this chapter not in conflict with Section 508.156 apply to parole of a person from the Texas Juvenile Justice Department or from a post-adjudication secure correctional facility operated by or under contract with a juvenile board or local juvenile probation department [~~Youth Commission~~] under that section.

SECTION 7. Sections 508.156(a), (d), (e), and (f), Government Code, are amended to read as follows:

(a) Before the release of a person who is transferred under Section 152.0016(g), 152.00161(e), 245.051(c), or 245.151(e), Human Resources Code, to the department for release on parole, a parole panel shall review the person's records and may interview the person or any other person the panel considers necessary to determine the conditions of parole. The panel may impose any reasonable condition of parole on the person that the panel may impose on an adult inmate under this chapter.

(d) The period of parole for a person released on parole under this section is the term for which the person was sentenced less calendar time served at the Texas Juvenile Justice Department or in the custody of a juvenile board or local juvenile probation department following a commitment under Section 54.04011(c)(2), Family Code, [~~Youth Commission~~] and in a juvenile detention facility in connection with the conduct for which the person was adjudicated.

(e) If a parole panel revokes the person's parole, the panel may require the person to serve the remaining portion of the person's sentence in the institutional division. The remaining portion of the person's sentence is computed without credit for the time from the date of the person's release to the date of revocation. The panel may not recommit the person to the Texas Juvenile Justice Department or to the custody of a juvenile board or local juvenile probation department [~~Youth Commission~~].

(f) For purposes of this chapter, a person released from the Texas Juvenile Justice Department or the custody of a juvenile board or local juvenile probation department [~~Youth Commission~~] on parole under this section is considered to have been convicted of the offense for which the person has been adjudicated.

SECTION 8. Subchapter A, Chapter 152, Human Resources Code, is amended by adding Section 152.00011 to read as follows:

Sec. 152.00011. DEFINITION. In this chapter, "post-adjudication secure correctional facility" means a facility operated by or under contract with a juvenile board or local juvenile probation department under Section 152.0016.

SECTION 9. Section 152.0016, Human Resources Code, as added by Chapter 1323 (S.B. 511), Acts of the 83rd Legislature, Regular Session, 2013, is amended by adding Subsections (f-1), (f-2), and (g-1) and amending Subsections (h) and (i) to read as follows:

(f-1) After a child has completed the minimum length of stay established under Subsection (f), the juvenile board or local juvenile probation department shall:

(1) discharge the child from the custody of the juvenile board or local juvenile probation department;

(2) release the child under supervision as provided by Subsection (c)(2); or

(3) extend the child's length of stay in the custody of the juvenile board or local juvenile probation department.

(f-2) A child's length of stay may only be extended under Subsection (f-1)(3) on the basis of clear and convincing evidence that:

(1) the child is in need of additional rehabilitation from the juvenile board or local juvenile probation department; and

(2) the post-adjudication secure correctional facility will provide the most suitable environment for that rehabilitation.

(g-1) The juvenile board or local juvenile probation department may request the approval of the court under Subsection (g) at any time.

(h) The juvenile board or local juvenile probation department may release a child who has been committed to a post-adjudication secure correctional facility with a determinate sentence under Section 54.04011(c)(2), Family Code, under supervision without approval of the juvenile court that entered the order of commitment if not more than nine months remain before the child's discharge as provided by Section 152.00161(b) [~~245.051(g)~~].

(i) The juvenile board or local juvenile probation department may resume the care and custody of any child released under supervision at any time before the final discharge of the child in accordance with the rules governing the Texas Juvenile Justice Department regarding resumption of care. Sections 243.051 and 245.051(f) apply only to a child who has been committed to a post-adjudication secure correctional facility under Section 54.04011(c), Family Code, and who has either escaped or violated the conditions of release under supervision. A hearing examiner who conducts a revocation under this subsection has the same subpoena authority as a hearing officer at the Texas Juvenile Justice Department, as provided under Section 203.008.

SECTION 10. Subchapter A, Chapter 152, Human Resources Code, is amended by adding Sections 152.00161, 152.00162, 152.00163, 152.00164, and 152.00165 to read as follows:

Sec. 152.00161. TERMINATION OF CONTROL. (a) Except as provided by Subsections (b) and (c), if a person is committed to a post-adjudication secure correctional facility under a determinate sentence under Section 54.04011(c)(2), Family Code, the juvenile board or local juvenile probation department may not discharge the person from custody.

(b) The juvenile board or local juvenile probation department shall discharge without a court hearing a person committed to the department for a determinate sentence under Section 54.04011(c)(2), Family Code, who has not been transferred to the Texas Department of Criminal Justice under a court order on the date that the time spent by the person in detention in connection with the committing case plus the time spent in the custody of the juvenile board or local juvenile probation department under the order of commitment equals the period of the sentence.

(c) The juvenile board or local juvenile probation department shall transfer to the Texas Department of Criminal Justice a person who is the subject of an order under Section 152.0016(j) transferring the person to the custody of the Texas Department of Criminal Justice for the completion of the person's sentence.

(d) Except as provided by Subsection (e), the juvenile board or local juvenile probation department shall discharge from its custody a person not already discharged on the person's 19th birthday.

(e) The juvenile board or local juvenile probation department shall transfer a person who has been sentenced under a determinate sentence to commitment under Section 54.04011(c)(2), Family Code, or who has been returned to the juvenile board or local juvenile probation department under Section 54.11(i)(1), Family Code, to the custody of the Texas Department of Criminal Justice on the person's 19th birthday, if the person has not already been discharged or transferred, to serve the remainder of the person's sentence on parole as provided by Section 508.156, Government Code.

Sec. 152.00162. DETERMINATE SENTENCE PAROLE. (a) Not later than the 90th day before the date the juvenile board or local juvenile probation department transfers a person to the custody of the Texas Department of Criminal Justice for release on parole supervision under Section 152.0016(g) or 152.00161(e), the juvenile board or local juvenile probation department shall submit to the Texas Department of Criminal Justice all pertinent information relating to the person, including:

(1) the juvenile court judgment;
(2) the circumstances of the person's offense;
(3) the person's previous social history and juvenile court records;
(4) the person's physical and mental health record;
(5) a record of the person's conduct, employment history, and attitude while committed to the department;

(6) a record of the sentence time served by the person at the juvenile board or local juvenile probation department as a result of a commitment under Section 54.04011(c)(2), Family Code, and in a juvenile detention facility in connection with the conduct for which the person was adjudicated; and

(7) any written comments or information provided by the juvenile board or local juvenile probation department, local officials, family members of the person, victims of the offense, or the general public.

(b) The juvenile board or local juvenile probation department shall provide instruction for parole officers of the Texas Department of Criminal Justice relating to juvenile programs provided by the juvenile board or local juvenile probation department. The juvenile boards and local juvenile probation departments and the Texas Department of Criminal Justice shall enter into a memorandum of understanding relating to the administration of this subsection.

(c) The Texas Department of Criminal Justice shall grant credit for sentence time served by a person in the custody of a juvenile board or local juvenile probation department and in a juvenile detention facility, as recorded by the board or department under Subsection (a)(6), in computing the person's eligibility for parole and discharge from the Texas Department of Criminal Justice.

Sec. 152.00163. CHILD WITH MENTAL ILLNESS OR INTELLECTUAL DISABILITY. (a) A juvenile board or local juvenile probation department shall accept a child with a mental illness or an intellectual disability who is committed to the custody of the board or department.

(b) Unless a child is committed to the custody of a juvenile board or local juvenile probation department under a determinate sentence under Section 54.04011(c)(2), Family Code, the juvenile board or local juvenile probation department shall discharge a child with a mental illness or an intellectual disability from its custody if:

(1) the child has completed the minimum length of stay for the child's committing offense; and

(2) the juvenile board or local juvenile probation department determines that the child is unable to progress in the rehabilitation programs provided by the juvenile board or local juvenile probation department because of the child's mental illness or intellectual disability.

(c) If a child who is discharged from the custody of a juvenile board or local juvenile probation department under Subsection (b) as a result of mental illness is not receiving court-ordered mental health services, the child's discharge is effective on the earlier of:

(1) the date the court enters an order regarding an application for mental health services filed under Section 152.00164(b); or

(2) the 30th day after the date the application is filed.

(d) If a child who is discharged from the custody of a juvenile board or local juvenile probation department under Subsection (b) as a result of mental illness is receiving court-ordered mental health services, the child's discharge is effective immediately. If the child is receiving mental health services outside the child's home county, the juvenile board or local juvenile probation department shall notify the mental health authority located in that county of the discharge not later than the 30th day after the date that the child's discharge is effective.

(e) If a child who is discharged from the custody of a juvenile board or local juvenile probation department under Subsection (b) as a result of an intellectual disability is not receiving intellectual disability services, the child's discharge is effective on the 30th day after the date that the referral is made under Section 152.00164(c).

(f) If a child who is discharged from the custody of a juvenile board or local juvenile probation department under Subsection (b) as a result of an intellectual disability is receiving intellectual disability services, the child's discharge is effective immediately.

(g) If a child with a mental illness or an intellectual disability is discharged from the custody of a juvenile board or local juvenile probation department under Subsection (b), the child is eligible to receive continuity of care services from the Texas Correctional Office on Offenders with Medical or Mental Impairments under Chapter 614, Health and Safety Code.

Sec. 152.00164. EXAMINATION BEFORE DISCHARGE. (a) A juvenile board or local juvenile probation department shall establish a system that identifies children with mental illnesses or intellectual disabilities who are in the custody of the juvenile board or local juvenile probation department.

(b) Before a child who is identified as having a mental illness is discharged from the custody of the juvenile board or local juvenile probation department under Section 152.00163(b), the juvenile board or local juvenile probation department shall arrange for a psychiatrist to examine the child. The juvenile board or local juvenile probation department shall refer a child requiring outpatient psychiatric treatment to the appropriate mental health authority. For a child requiring inpatient psychiatric treatment, the juvenile board or local juvenile probation department shall file a sworn application for court-ordered mental health services, as provided in Subchapter C, Chapter 574, Health and Safety Code, if:

(1) the child is not receiving court-ordered mental health services; and

(2) the psychiatrist who examined the child determines that the child has a mental illness and the child meets at least one of the criteria listed in Section 574.034, Health and Safety Code.

(c) Before a child who is identified as having an intellectual disability under Chapter 593, Health and Safety Code, is discharged from the custody of a juvenile board or local juvenile probation department under Section 152.00163(b), the department shall refer the child for intellectual disability services if the child is not receiving intellectual disability services.

Sec. 152.00165. TRANSFER OF CERTAIN CHILDREN SERVING DETERMINATE SENTENCES FOR MENTAL HEALTH SERVICES. (a) A juvenile board or local juvenile probation department may petition the juvenile court that entered the order of commitment for a child for the initiation of mental health commitment proceedings if the child is committed to the custody of the juvenile board or local juvenile probation department under a determinate sentence under Section 54.04011(c)(2), Family Code.

(b) A petition made by a juvenile board or local juvenile probation department shall be treated as a motion under Section 55.11, Family Code, and the juvenile court shall proceed in accordance with Subchapter B, Chapter 55, Family Code.

(c) A juvenile board or local juvenile probation department shall cooperate with the juvenile court in any proceeding under this section.

(d) The juvenile court shall credit to the term of the child's commitment to a juvenile board or local juvenile probation department any time the child is committed to an inpatient mental health facility.

(e) A child committed to an inpatient mental health facility as a result of a petition filed under this section may not be released from the facility on a pass or furlough.

(f) If the term of an order committing a child to an inpatient mental health facility is scheduled to expire before the end of the child's sentence and another order committing the child to an inpatient mental health facility is not scheduled to be entered, the inpatient mental health facility shall notify the juvenile court that entered the order of commitment committing the child to a juvenile board or local juvenile probation department. The juvenile court may transfer the child to the custody of the juvenile board or local juvenile probation department, transfer the child to the Texas Department of Criminal Justice, or release the child under supervision, as appropriate.

SECTION 11. (a) Section 261.101, Human Resources Code, is amended by adding Subsections (a-1) and (f) and amending Subsection (e) to read as follows:

(a-1) The independent ombudsman shall perform the duties required under Subsection (a) with respect to children committed to the department and children committed to a post-adjudication secure correctional facility under Section 54.04011, Family Code.

(e) Notwithstanding any other provision of this chapter, the powers of the office are limited to:

(1) facilities operated and services provided by the department under Subtitle C; and

(2) post-adjudication correctional facilities under Section 152.0016.

(f) This subsection and Subsections (a-1) and (e) expire December 31, 2018.

(b) Effective January 1, 2019, Section 261.101, Human Resources Code, is amended by adding Subsection (e) to read as follows:

(e) Notwithstanding any other provision of this chapter, the powers of the office are limited to facilities operated and services provided by the department under Subtitle C.

SECTION 12. Section 152.0016(b), Human Resources Code, as added by Chapter 1323 (S.B. 511), Acts of the 83rd Legislature, Regular Session, 2013, is repealed.

SECTION 13. The change in law made by this Act applies to a person committed to or serving a sentence in a post-adjudication secure correctional facility on or after the effective date of this Act, regardless of whether the underlying conduct giving rise to the commitment and sentence occurred before, on, or after that date.

SECTION 14. This Act takes effect September 1, 2015.

The amendment to **SB 1149** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Seliger.

On motion of Senator Watson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

SB 1149 as amended was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Seliger.

SENATE BILL 1149 ON THIRD READING

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1149** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

SENATE BILL 1073 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1073** at this time on its second reading:

SB 1073, Relating to the provision of a candidate's campaign mailing address and electronic mail address in the candidate's application for a place on the ballot.

The bill was read second time and was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Seliger.

SENATE BILL 1073 ON THIRD READING

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1073** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 873 ON SECOND READING**

On motion of Senator Rodríguez and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 873** at this time on its second reading:

CSSB 873, Relating to the courts authorized to hear certain matters relating to a *capias pro fine*.

The bill was read second time and was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE
SENATE BILL 873 ON THIRD READING**

Senator Rodríguez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 873** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 935 ON SECOND READING**

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 935** at this time on its second reading:

CSSB 935, Relating to the establishment of a reading excellence team pilot program.

The bill was read second time and was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE
SENATE BILL 935 ON THIRD READING**

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 935** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 795 ON SECOND READING**

Senator Perry moved to suspend the regular order of business to take up for consideration **CSSB 795** at this time on its second reading:

CSSB 795, Relating to establishing an interstate voter registration crosscheck program.

The motion prevailed by the following vote: Yeas 25, Nays 5.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, L. Taylor, V. Taylor, Uresti, West, Whitmire, Zaffirini.

Nays: Ellis, Garcia, Menéndez, Rodríguez, Watson.

Absent-excused: Seliger.

The bill was read second time.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 795** (senate committee report) in SECTION 1 of the bill, in added Section 18.062, Election Code (page 1, lines 33 through 35), by striking added Subsection (b) and substituting the following:

(b) A system developed under this section:

(1) must comply with the National Voter Registration Act of 1993 (52 U.S.C. Section 20501 et seq.); and

(2) may only identify voters for the purposes of the system with an exact match of a voter's first and last names, the last four digits of a voter's social security number, and, if available, a voter's date of birth.

The amendment to **CSSB 795** was read.

On motion of Senator Perry, Floor Amendment No. 1 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Nelson, Nichols, Perry, Schwertner, L. Taylor, V. Taylor.

Nays: Ellis, Garcia, Hinojosa, Lucio, Menéndez, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

Absent-excused: Seliger.

CSSB 795 was passed to engrossment by the following vote: Yeas 25, Nays 5.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, L. Taylor, V. Taylor, Uresti, West, Whitmire, Zaffirini.

Nays: Ellis, Garcia, Menéndez, Rodríguez, Watson.

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE
SENATE BILL 795 ON THIRD READING**

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 795** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 5.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, L. Taylor, V. Taylor, Uresti, West, Whitmire, Zaffirini.

Nays: Ellis, Garcia, Menéndez, Rodríguez, Watson.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 25, Nays 5. (Same as previous roll call)

SENATE BILL 69 ON SECOND READING

Senator Ellis moved to suspend the regular order of business to take up for consideration **SB 69** at this time on its second reading:

SB 69, Relating to a notification requirement if a public school campus or open-enrollment charter school does not have a nurse assigned to the campus during all instructional hours.

The motion prevailed by the following vote: Yeas 23, Nays 7.

Yeas: Bettencourt, Birdwell, Campbell, Ellis, Eltife, Estes, Garcia, Hall, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Creighton, Fraser, Hancock, Huffines, Schwertner, V. Taylor.

Absent-excused: Seliger.

The bill was read second time.

Senator Nichols offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 69** (senate committee report) in SECTION 1 of the bill, in added Section 38.020, Education Code (page 1, between lines 57 and 58), by inserting the following:

(g) A school district that is located in a county with a population of less than 100,000 is not required to provide the notice required by this section.

The amendment to **SB 69** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Seliger.

On motion of Senator Ellis and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

SB 69 as amended was passed to engrossment by the following vote: Yeas 23, Nays 7.

Yeas: Bettencourt, Birdwell, Campbell, Ellis, Eltife, Estes, Garcia, Hall, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Creighton, Fraser, Hancock, Huffines, Schwertner, V. Taylor.

Absent-excused: Seliger.

SENATE BILL 69 ON THIRD READING

Senator Ellis moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 69** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 5.

Yeas: Bettencourt, Birdwell, Campbell, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hancock, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Creighton, Huffines, Schwertner, V. Taylor.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 23, Nays 7.

Yeas: Bettencourt, Birdwell, Campbell, Ellis, Eltife, Estes, Garcia, Hall, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Creighton, Fraser, Hancock, Huffines, Schwertner, V. Taylor.

Absent-excused: Seliger.

COMMITTEE SUBSTITUTE SENATE BILL 746 ON SECOND READING

Senator Whitmire moved to suspend the regular order of business to take up for consideration **CSSB 746** at this time on its second reading:

CSSB 746, Relating to the civil commitment of sexually violent predators; amending provisions subject to criminal penalties.

The motion prevailed.

Senators Hall and Menéndez asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Hall, Menéndez.

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE
SENATE BILL 746 ON THIRD READING**

Senator Whitmire moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 746** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Nelson, Nichols, Perry, Rodríguez, Schwertner, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Hall, Menéndez.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 2. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1308 ON SECOND READING**

On motion of Senator Menéndez and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1308** at this time on its second reading:

CSSB 1308, Relating to veterans services information provided to veterans who receive driver's licenses and personal identification certificates.

The bill was read second time and was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE
SENATE BILL 1308 ON THIRD READING**

Senator Menéndez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1308** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

(President in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 158 ON SECOND READING**

Senator West moved to suspend the regular order of business to take up for consideration **CSSB 158** at this time on its second reading:

CSSB 158, Relating to a body worn camera program for certain law enforcement agencies in this state; creating a criminal offense; authorizing a fee.

The motion prevailed by the following vote: Yeas 23, Nays 7.

Yeas: Bettencourt, Birdwell, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hinojosa, Huffines, Kolkhorst, Lucio, Menéndez, Nelson, Perry, Rodríguez, Schwertner, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Campbell, Creighton, Hancock, Huffman, Nichols, V. Taylor.

Absent-excused: Seliger.

The bill was read second time.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 158** (senate committee printing) in SECTION 1 of the bill, in added Section 1701.661, Occupations Code, by adding the following new subsection, appropriately lettered, to that section and redesignating subsequent subsections of Section 1701.661, Occupations Code, and cross references to those subsections, accordingly:

() A recording is confidential and excepted from the requirements of Chapter 552, Government Code, if the recording:

(1) was not required to be made under this subchapter or another law or under a policy adopted by the appropriate law enforcement agency; and

(2) does not relate to a law enforcement purpose.

The amendment to **CSSB 158** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Seliger.

On motion of Senator West and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 158 as amended was passed to engrossment by the following vote: Yeas 22, Nays 8.

Yeas: Bettencourt, Birdwell, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hinojosa, Huffines, Lucio, Menéndez, Nelson, Perry, Rodríguez, Schwertner, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Campbell, Creighton, Hancock, Huffman, Kolkhorst, Nichols, V. Taylor.

Absent-excused: Seliger.

COMMITTEE SUBSTITUTE
SENATE BILL 158 ON THIRD READING

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 158** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 6.

Yeas: Bettencourt, Birdwell, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hinojosa, Huffines, Huffman, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Campbell, Creighton, Hancock, Kolkhorst, V. Taylor.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 22, Nays 8.

Yeas: Bettencourt, Birdwell, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hinojosa, Huffines, Lucio, Menéndez, Nelson, Perry, Rodríguez, Schwertner, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Campbell, Creighton, Hancock, Huffman, Kolkhorst, Nichols, V. Taylor.

Absent-excused: Seliger.

REASON FOR VOTE

Senator Burton submitted the following reason for vote on **CSSB 158**:

I am a strong supporter of body cameras for law enforcement as a means of providing greater transparency to the public. I voted against CSSB 158 because it creates a grant program with rigid regulation for the recipients. I believe that law enforcement agencies across Texas are presently adopting body cameras and developing best practices and standard operating procedures. I believe it is in the interest of public safety to allow these practices and policies to develop more before the state adopts a broad standardized regulatory structure on the use of body cameras.

BURTON

REASON FOR VOTE

Senator Creighton submitted the following reason for vote on **CSSB 158**:

I am a strong supporter of law enforcement and the use of technology to assist our officers and deputies in protecting the public. Body cameras increase transparency and protection for the public and law enforcement. It is my understanding that some law enforcement agencies across the state have implemented body camera programs resulting in great success.

I don't believe adopting a rigid statewide plan will allow for local control and best practices for law enforcement groups. The use of body cameras should remain a local decision and should be decided on a case-by-case circumstance.

I support current law, which allows local law enforcement agencies to apply preferred rules in the implementation of body cameras.

CREIGHTON

**COMMITTEE SUBSTITUTE
SENATE BILL 888 ON SECOND READING**

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 888** at this time on its second reading:

CSSB 888, Relating to the appeal of waiver of jurisdiction and transfer to criminal court in juvenile cases.

The bill was read second time.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 888** (senate committee report) as follows:

(1) In the recital to SECTION 3 of the bill, amending Section 56.01, Family Code (page 1, line 38), strike "Subsection (c)" and substitute "Subsections (c) and (h)".

(2) In SECTION 3 of the bill, in amended Section 56.01, Family Code, between amended Subsection (c) and added Subsection (h-1) (page 1, between lines 55 and 56), insert the following:

(h) If the order appealed from takes custody of the child from the child's ~~his~~ parent, guardian, or custodian or waives jurisdiction under Section 54.02 and transfers the child to criminal court for prosecution, the appeal has precedence over all other cases.

The amendment to **CSSB 888** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Seliger.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 888** (senate committee report) as follows:

(1) In the recital to SECTION 3 of the bill, amending Section 56.01, Family Code (page 1, line 38), strike "Subsection (h-1)" and substitute "Subsections (g-1) and (h-1)".

(2) In SECTION 3 of the bill, in amended Section 56.01, Family Code, between amended Subsection (c) and added Subsection (h-1) (page 1, between lines 55 and 56), insert the following:

(g-1) An appeal from an order entered under Section 54.02 respecting transfer of the child for prosecution as an adult does not stay the criminal proceedings pending the disposition of that appeal.

The amendment to **CSSB 888** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2 except as follows:

Absent-excused: Seliger.

On motion of Senator Hinojosa and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 888 as amended was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE
SENATE BILL 888 ON THIRD READING**

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 888** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

CONFERENCE COMMITTEE ON HOUSE BILL 1

Senator Nelson called from the President's table, for consideration at this time, the request of the House for a conference committee to adjust the differences between the two Houses on **HB 1** and moved that the request be granted.

The motion prevailed without objection.

The President asked if there were any motions to instruct the conference committee on **HB 1** before appointment.

There were no motions offered.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate: Senators Nelson, Chair; Huffman, Kolkhorst, Hinojosa, and Schwertner.

**SENATE RULE 11.13 SUSPENDED
(Consideration of Bills in Committees)
(Motion In Writing)**

Senator Hancock submitted the following Motion In Writing:

I move suspension of Senate Rule 11.13 to permit committees to meet during the reading and referral of bills.

HANCOCK

The Motion In Writing was read and prevailed without objection.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 2:07 p.m. agreed to adjourn, upon completion of the introduction of bills and resolutions on first reading, until 2:00 p.m. Monday, April 27, 2015.

HOUSE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions received from the House were read first time and referred to the committees indicated:

HB 4 to Committee on Education.

HB 8 to Committee on Finance.

HB 9 to Committee on State Affairs.

HB 12 to Committee on Veteran Affairs and Military Installations, Subcommittee on Border Security.

HB 39 to Committee on State Affairs.

HB 40 to Committee on Natural Resources and Economic Development.

HB 100 to Committee on Higher Education.

HB 122 to Committee on Transportation.

HB 188 to Committee on Criminal Justice.

HB 219 to Committee on Transportation.

HB 389 to Committee on Intergovernmental Relations.

HB 593 to Committee on Criminal Justice.

HB 679 to Committee on Health and Human Services.

HB 705 to Committee on State Affairs.

HB 833 to Committee on Transportation.

HB 896 to Committee on Criminal Justice.

HB 931 to Committee on Natural Resources and Economic Development.

HB 949 to Committee on Agriculture, Water, and Rural Affairs.

HB 975 to Committee on Natural Resources and Economic Development.

HB 1077 to Committee on Business and Commerce.

HB 1180 to Committee on Health and Human Services.

HB 1221 to Committee on Business and Commerce.

HB 1224 to Committee on Agriculture, Water, and Rural Affairs.

HB 1657 to Committee on Natural Resources and Economic Development.

HB 1769 to Committee on Health and Human Services.

HB 1771 to Committee on Business and Commerce.

HB 1853 to Committee on Business and Commerce.

HB 1926 to Committee on Natural Resources and Economic Development.

HB 1945 to Committee on Health and Human Services.

HB 2022 to Committee on Business and Commerce.

HB 2052 to Committee on Business and Commerce.

HB 2145 to Committee on Business and Commerce.

HB 2200 to Committee on Intergovernmental Relations.

HB 2604 to Committee on State Affairs.

HB 2718 to Committee on Health and Human Services.

HB 3327 to Committee on State Affairs.

HB 3633 to Committee on Criminal Justice.

HJR 8 to Committee on Finance.

HJR 73 to Committee on Natural Resources and Economic Development.

CO-AUTHOR OF SENATE BILL 762

On motion of Senator Bettencourt, Senator West will be shown as Co-author of **SB 762**.

CO-AUTHORS OF SENATE BILL 945

On motion of Senator L. Taylor, Senators Nelson and Watson will be shown as Co-authors of **SB 945**.

CO-AUTHOR OF SENATE BILL 1193

On motion of Senator West, Senator Burton will be shown as Co-author of **SB 1193**.

CO-AUTHOR OF SENATE BILL 1440

On motion of Senator Campbell, Senator Zaffirini will be shown as Co-author of **SB 1440**.

CO-AUTHOR OF SENATE BILL 1551

On motion of Senator Garcia, Senator Menéndez will be shown as Co-author of **SB 1551**.

CO-AUTHOR OF SENATE BILL 1706

On motion of Senator Huffman, Senator Menéndez will be shown as Co-author of **SB 1706**.

CO-AUTHOR OF SENATE BILL 1780

On motion of Senator Menéndez, Senator Garcia will be shown as Co-author of **SB 1780**.

CO-AUTHOR OF SENATE BILL 1781

On motion of Senator Menéndez, Senator Hinojosa will be shown as Co-author of **SB 1781**.

CO-AUTHOR OF SENATE BILL 2048

On motion of Senator Huffman, Senator Nelson will be shown as Co-author of **SB 2048**.

CO-AUTHOR OF SENATE RESOLUTION 563

On motion of Senator Birdwell, Senator Huffman will be shown as Co-author of **SR 563**.

CO-AUTHORS OF SENATE RESOLUTION 618

On motion of Senator Burton, Senators Bettencourt, Birdwell, Eltife, Perry, Seliger, L. Taylor, and V. Taylor will be shown as Co-authors of **SR 618**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Welcome and Congratulatory Resolutions

SR 615 by Campbell, Recognizing the 2015 Ride 2 Recovery Texas Challenge.

SR 616 by Menéndez, Recognizing West Avenue Elementary School in San Antonio on the occasion of its 50th anniversary.

SR 619 by Zaffirini, Recognizing the Hispanic Alliance for its work on behalf of underserved citizens.

SR 621 by West, Recognizing Kennedy Young Jr. on the occasion of his inauguration as pastor of East Gate Missionary Baptist Church.

SR 623 by Hinojosa, Recognizing the Sustainable Dairy Goat Initiative for its humanitarian efforts.

SR 624 by Uresti, Recognizing the Ticked About Graffiti Team on the occasion of the Paint the Town Project.

SR 625 by V. Taylor, Welcoming the Upper School students from Prestonwood Christian Academy to the State Capitol.

Official Designation Resolutions

SR 620 by Zaffirini, Celebrating April 28, 2015, as Karnes County Day.

SR 622 by Schwertner, Celebrating May 14, 2015, as Hutto Day.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 2:14 p.m. adjourned until 2:00 p.m. Monday, April 27, 2015.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Secretary of the Senate in the order listed:

April 23, 2015

FINANCE — **SB 309, CSSB 228**

INTERGOVERNMENTAL RELATIONS — **CSSB 1587, CSSB 1422, SB 626, SB 772, SB 837, SB 1593, CSSB 1387**

FINANCE — **CSSB 724, CSSB 677**

HEALTH AND HUMAN SERVICES — **CSSB 1641, CSSB 1889, CSSB 1880**

TRANSPORTATION — **CSSB 1338, CSSB 1502, CSSB 1530, SB 1577, CSSB 1737, CSSB 2041**

VETERAN AFFAIRS AND MILITARY INSTALLATIONS — **CSSB 1928**

STATE AFFAIRS — **CSSB 1964, CSSB 779**

CRIMINAL JUSTICE — **SB 1864, SB 1330, SB 1086, SB 2054, SB 715, SB 740, CSSB 1517, CSSB 1057, CSSB 1576**

EDUCATION — **SB 1309, SB 1241**

CRIMINAL JUSTICE — **CSSB 1828**

BUSINESS AND COMMERCE — **CSSB 326, CSSB 1812**

EDUCATION — **CSSB 750**

BILLS ENGROSSED

April 22, 2015

SB 24, SB 28, SB 265, SB 321, SB 418, SB 476, SB 526, SB 627, SB 714, SB 737, SB 902, SB 991, SB 1032, SB 1128, SB 1313, SB 1368, SB 1462, SB 1496, SB 1543, SB 1749, SB 1776, SB 1852

RESOLUTIONS ENROLLED

April 22, 2015

SR 604, SR 606, SR 607, SR 608, SR 609, SR 610, SR 612, SR 613, SR 614